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Letter dated 28 December 2006 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

At a time when we are all preparing for the New Year, let me take this opportunity to underline that the Government of the State of Eritrea remains committed to the full and speedy implementation of the Algiers peace agreements. Hoping the energy and focus of the Security Council and the Secretary-General will be on the full, speedy and unequivocal implementation of the decision of the Eritrea-Ethiopia Boundary Commission without being sidetracked on tangential issues, I wish to draw your attention to the recent special report of the Secretary-General on Ethiopia and Eritrea of 15 December 2006 (S/2006/992).

While my delegation reserves the right to provide comments on several paragraphs of the report at a later date, I wish to limit myself for now to one particular issue to set the records straight. The Secretary-General accuses Eritrea of rejecting the appointment of his Acting Special Representative for the United Nations Mission in Ethiopia and Eritrea (UNMEE), without providing in his report either the concerns expressed or the patience shown by my Government to get the clarifications it sought from his Office.

What the report fails to mention are the facts surrounding the nomination of another United Nations official, prior to the mentioned Acting Special Representative for UNMEE. Not to mention Eritrea's acceptance of the first nomination of the United Nations official, following a note it had received on 31 May 2006 from the Department of Peacekeeping Operations, is a serious omission in the report. What is equally missing in the report is that the nomination of the United Nations official mentioned in the report as a Special Representative of the Secretary-General for UNMEE was done without any explanation as to why the earlier nominee had been dropped. Throughout the contacts and discussions that were held in Asmara and New York with the higher officials of the United Nations, the legitimate request of my Government was ignored to accommodate the wish of others.

If there is a gap of dates between the presentation of the first nominee towards the end of May 2006 and Eritrea's final considered decision on the Acting Special Representative in November 2006, it only shows how much the Government of the State of Eritrea was waiting patiently for a clarification it legitimately sought, including in its meeting on the matter with the Secretary-General himself.

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The presentation of the attached démarche (see annex) to the Office of the Secretary-General on 1 November 2006 is further evidence of the attempts made by my Government to avoid embarrassment to anyone or anybody. The most prudent thing to do was to present a report with all the facts stated clearly.

I would be grateful if the present letter and its annex would be circulated as a document of the Security Council.

(*Signed*) Araya **Desta**
Ambassador
Permanent Representative

Annex to the letter dated 28 December 2006 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

Démarche

The Government of Eritrea once again wishes to register its serious concern and disappointment at the lack of appropriate response for the clarifications it sought from the Secretary-General regarding the reasons why the nomination of Ambassador Tuliameni Kalomoh as Special Representative of the Secretary-General (SRSG) for Eritrea and Ethiopia was changed to Ambassador Azouz Ennifar.

With the clear objective of extending its cooperation to UNMEE, the Government of Eritrea granted agrément to the nomination of Ambassador Kalomoh following a note it received on 31 May 2006 from the UN Department of Peacekeeping Operations (DPKO). Soon after Eritrea's acceptance of Ambassador Kalomoh's nomination as a replacement of Ambassador Legwaila Joseph Legwaila who left office in April 2006, the appointment of Ambassador Azouz Ennifar as SRSG was forwarded to the Government of Eritrea without any explanations as to why the former nominee was dropped.

Eritrea as host country to UNMEE, asked through its offices in Asmara and New York, the justifications for the change made in the nomination. It also strongly protested underlining the fact that the whole exercise lacked standard diplomatic practice and procedure. Eritrea further requested for appropriate remedial action to be taken by the Secretary-General. However, in all of the bilateral meetings carried out with higher officials of UNMEE and DPKO in Asmara and New York, respectively, in spite of Eritrea's insistence for clarification and appropriate remedial action, its legitimate request was completely ignored.

Adding insult to injury, the Government of Eritrea learned through the grapevine that Ambassador Ennifar was appointed by the Seretary-General as Acting SRSG for Eritrea and Ethiopia.

Therefore, the Government of the State of Eritrea:

Reiterating its concern and disappointment about the lack of appropriate response by the Secretary-General to its repeated requests;

Recalling that it has consistently registered its disappointment with the appropriate UN officials in Asmara and New York elaborating that the whole exercise of nominating and appointing the SRSG has violated all terms of established diplomatic communications and protocol; and

Expressing its disappointment that the Secretary-General so far has not taken any remedial action:

- **Reaffirms** its previous position that it has not granted agrément to the nomination of Ambassador Ennifar as SRSG, nor recognizes his position as the Acting SRSG,
- **Expresses** its strong belief that the post of the Special Representative of the Secretary-General should not be left vacant, therefore, urges the Secretary General to nominate, as soon as possible, the replacement of Ambassador Legwaila and to communicate the designated Representative to the appropriate Eritrean authorities through the diplomatic channel, and
- **Urges** the Secretary-General of the United Nations to immediately take steps with the view of rectifying the problem, thus avoiding further embarrassment.

Ministry of Foreign Affairs of the State of Eritrea
Asmara